

Larry D. Padilla, P-05966
 Salinas Valley State Prison
 P.O. Box 1050 / A3-202L
 Soledad, Ca. 93960-1050

FILED

MAY 27 2008

RECEIVED
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE

UNITED STATES DISTRICT COURT

CALIFORNIA NORTHERN DISTRICT (San Jose)

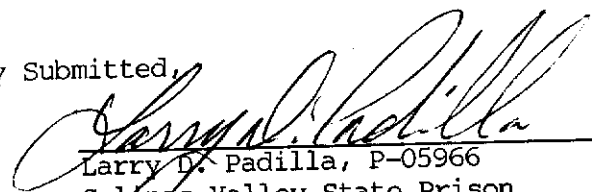
Larry D. Padilla,)
 Plaintiff,)
 Vs.)
 M.S. Evans, (Warden),)
 Defendant.)

Case No. 5:06-CV-01725-JF
**PLAINTIFF'S REQUEST FOR EXTENSION OF
 TIME TO FILE OPPOSITION TO DEFENDANT'S
 MOTION FOR SUMMARY JUDGMENT**

Plaintiff Larry D. Padilla, proceeding In Pro Se and In Forma Pauperis
 requests an Extension of time to file an Opposition to Defendant(s) Motion for
 Summary Judgment executed on May 2, 2008 by M. Luna declarant.

Plaintiff received the Motion for Summary Judgment on May 5, 2008, the reasons
 for this request are set forth in the attached declaration of plaintiff dated
 May 21, 2008.

Respectfully Submitted,



Larry D. Padilla, P-05966
 Salinas Valley State Prison
 P.O. Box 1050 / A3-202L
 Soledad, Ca. 93960-1050

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DECLARATION OF Larry D. Padilla, P-05966

I, Larry D. Padilla, hereby declare:

(1). I am the plaintiff in the attach stated case Padilla V. M.S.Evans,
5:06-CV-017125-JF, proceeding in Propria Persona.

(2). This plaintiff's First request for an extension of time in this matter.

(3). Plaintiff does not have the resources, staff, experience, and the
schooling equal to that of defendants' counsel, The California Attorney
General's Office and therefore may require substantial time to review, analyze
and respond to defendants' motion for summary judgment.

(4). Defendants have introduced documents of Floor Officer's Log Book and
Control Booth Officer's Log Book, these log books show dates of January 1, up
to January 27, 2005.

(5). Plaintiff never received these dates of January 1-15, 2005, after
discovering that the above dates did in fact exist plaintiff wrote the Deputy
Attorney General Scott J. Feudale on May 12, 2008 requesting these documents
and as of this filing plaintiff has yet to receive said documents. (see
Murrell V. Bennett, (5th Cir 1980) 615 F.2d 306; Griffith V. Wainwright, (11th
Cir. 1985) 772 F.2d 822 [prisoners entitled to special consideration because
of difficulty in gaining access to information from prison officials].

(6). Plaintiff did request the log books and the dates stated above in
discovery and a motion to compel, yet never received the dates of January 1-
15, 2005, (see AGO-0045).

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1 (7). The documents in question were found in a declaration sent by the
2 Attorney Generals Office of a T. Selby, (Lieutenant) at Salinas Valley State
3 Prison.

4 (8). Plaintiff only gets at the most 2 hours a week in the law library to
5 research case law and to make any legal copies necessary for the court, and
6 access to computers very with only (4) four in the law library for 1,000
7 inmates, with that said plaintiff requests at least a 60 to 90 day extension
8 of time.

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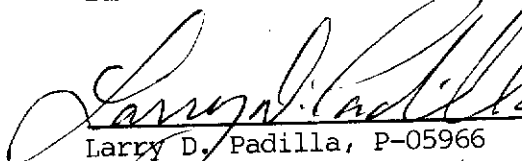
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22 **VERIFICATION**

23 I have read the above declaration and swear under penalty of perjury that the
24 statements made herein are true and correct, except as to those matters alleged upon
25 information and belief, and as to those matters I do believe them to be true.

26
27 **DATED:** May 21, 2008

28 **RESPECTFULLY SUBMITTED.**


Larry D. Padilla, P-05966
Salinas Valley State Prison
P.O. Box 1050 / A3-202L
Soledad, Ca. 93960-1050

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(San Jose)

Larry D. Padilla,)
Plaintiff,)
vs.)
M.S. Evans, (Warden),)
Defendant.)

Case No. CV-06-1725 MJJ
5:06-CV-01725-JF
PROOF OF SERVICE

I hereby certify that on May 21st, 2008 I served a copy of the
attached: Motion For Extension Of Time
And
Declaration of Larry D. Padilla

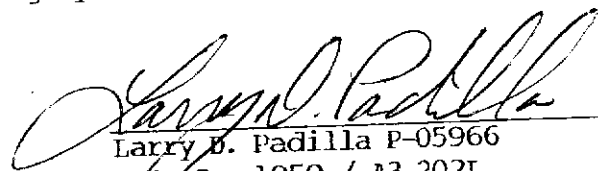
by placing a copy in a postage paid envelope addressed to the person(s)
hereinafter listed, by depositing said envelope in the United States Mail at
Salinas Valley State Prison:

Scott J. Feudale,
Deputy Attorney General
455 Golden Gate Ave., Suite 11000
San Francisco, Ca. 94102-7004

To: Clerk, U.S. District Court
Northern District Of California
333 West Santa Clara St.
San Jose , Ca. 95113-1717

I hereby declare under penalty of perjury that the foregoing is true
and correct.

Dated: May 21, 2008.


Larry D. Padilla P-05966
P.O. Box 1050 / A3-202L
Soledad, Ca. 93960-1050

MC
TO: Clerk, U.S. District Court For The Northern District Of California
In re: Padilla V. M.S. Evans, 5:06-CV-01725- JF

C06-1725

I received a "REASSIGNMENT ORDER" Filed April 7th, 2008, I have sent documents to your court at the following address:

333 West Santa Clara Street
San Jose, Ca. 95113-1717

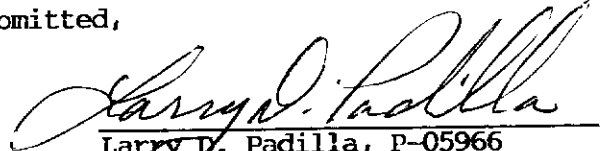
I have no idea if the above address is correct or not? as have not received any thing from your court with an address on it, as the above address is all that I have been able to find.

I am also requesting that your office send me "HANDBOOK FOR LITIGANTS WITHOUT A LAWYER" that has just now came to my attension that I can request this handbook.

Respectfully Submitted,

Date:

May 21, 2008



Larry D. Padilla, P-05966
Salinas Valley State Prison
P.O. Box 1050 / A3-202L
Soledad, Ca. 93960-1050

FILED
MAY 27 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Salinas Valley State Prison
Larry D. Padilla, P-05966
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SAN JOSE CA 951

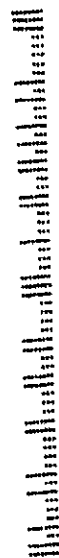
22 MAY 2008 PM 4 L

STATE PRISON
GENERATED MAIL

To: Clerk, U.S. District Court for the Northern District
of California (San Jose)
333 West Santa Clara St.
San Jose, Ca. 95113-1717

LEGAL MAIL

95113+1713



STATE OF CALIFORNIA
Court of Appeal
SIXTH APPELLATE DISTRICT
333 WEST SANTA CLARA STREET
SAN JOSE, CA 95113



United States District Court
280 South First St.
San Jose CA 95113

95113+3002 0060